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Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21

Mauritania*

The present report is a summary of 20 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

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I. Information provided by the national human rights institution of the State under review accredited in full compliance with the Paris Principles

A. Background and framework

1. The National Human Rights Commission of Mauritania recommended that Mauritania should ratify the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189).[2]

2. Recalling that Mauritania was a party to the nine international human rights conventions and to three optional protocols, the Commission noted that it was necessary to promote these conventions and to revise national laws to bring them into line with the State's international obligations.[3]

3. The Commission stated that it was urgent to revise the Criminal Code so that it would include definitions of rape and violence against women.[4]

4. The Commission recommended that the Convention on the Elimination of All Forms of Discrimination against Women should be incorporated into national law and that a campaign to disseminate the Personal Status Code should be organized thereafter.[5]

5. The Commission called for the adoption of a bill that had been drafted in 2008 in order to better deal with issues relating to migration and asylum.[6]

6. The Commission recommended a reform of the land law, emphasizing that legislation on that subject should help strengthen national unity and social cohesion.[7]

7. The Commission stated that the National Strategy to Institutionalize a Gender Approach and the drafting and implementation of the National Action Plan on Gender-based Violence (2015-2018) were too recent for their impact to be measured.[8]

8. The Commission stated that the establishment of the Tadamon National Agency for the Eradication of the Consequences of Slavery, for Social Integration and for Action to Fight Poverty and the adoption in 2014 of the road map for the eradication of the consequences of slavery were successful measures.[9] The Commission also considered that the conferral on it and on civil society organizations of the right to file claims for damages in criminal proceedings would increase the authorities' willingness to end this practice.[10]

B. Cooperation with human rights mechanisms

9. The National Human Rights Commission continued to call for a standing invitation to be extended to the special procedures of the Human Rights Council.[11]

C. Implementation of international human rights obligations

10. The National Human Rights Commission recommended that the authorities take steps to enable all families to obtain civil identities for their children.[12]

11. The Commission welcomed the adoption of a national programme for the abandonment of the practice of female genital mutilation.[13]

12. The Commission deeply regretted that the impact of the Ministerial Decree on Domestic Labour had been diminished by a lack of communication, follow-up and social mobilization.[14]

13. The Commission stated that, in the past five years, more than 30 cases of slavery had been brought before the courts and that the perpetrators had been punished. However, the number of adjudicated cases fell below the targets set by the 2007 law.[15]

14. The Commission expressed concern at the low number of convictions and prosecutions for early marriage and forced marriage.[16]

15. The Commission stated that it was necessary to clarify the procedures and criteria for authorizing demonstrations and to ensure respect for civil liberties and the safety of citizens in order to strengthen freedom of expression.[17]

16. The Commission noted that, despite a reduction in the unemployment rate and an increase in the gross domestic product (GDP), the labour market still presented significant structural challenges, inasmuch as more than 86 per cent of economically active persons in the non-agricultural private sector continued to be engaged in the informal economy.[18]

17. The Commission stated that the public policy on persons with disabilities needed to be strengthened, especially with regard to employment and access to basic social services.[19]

II. Information provided by other stakeholders

A. Background and framework

1. Scope of international obligations[20]

18. Amnesty International (AI) reported that of the UPR recommendations made in 2010,[21] the Government ratified the OP-CAT, ICPPED, and CRPD.[22]

19. The Mauritanian Observatory for Human Rights and Democracy (OMADHD) recommended that Mauritania should ratify the optional protocols to the International Covenant on Civil and Political Rights,[23] the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination against Women, as well as the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.[24]

20. International Humanist and Ethical Union (IHEU) recommended that Mauritania remove its reservations to CEDAW.[25]

21. Open Doors (ODI) recommended that Mauritania lift its reservation to the ICCPR and CAT.[26]

2. Constitutional and legislative framework

22. Alkarama noted that no constitutional institution had been renewed within the statutory time limits. The parliamentary elections, initially scheduled for November 2011, continued to be postponed[27] and the senatorial elections set for March 2015, have been postponed indefinitely.[28] It added that Mohamed Ould Abdel Aziz had his mandate extended in June 2014, after the elections had been widely boycotted by other political parties.[29]

23. Noting that the Constitution had been amended in 2012[30] and that the revision introduced a new article under which slavery and torture were qualified as "crimes against humanity", Alkarama recommended that Mauritania implement into domestic

law the new constitutional provisions [31] and define and criminalise torture in the Criminal Code. [32]

24. JS1 recommended that Mauritania introduce a law specifically prohibiting discrimination based on caste or ethnic slavery and assist the integration of victims of slavery into an independent life. [33]

25. Unrepresented Nations and Peoples Organisation (UNPO) stated that the Constitution proclaims gender equality but neither defines discrimination nor specific crimes to which women are subjected to, such as rape. [34]

26. JS2 recommended that Mauritania should criminalize for rape [35] and JS3 recommended that legislation should be enacted to hold to account persons found guilty of rape and also the administrative, police and judicial authorities who showed a lax approach to rape cases. [36]

27. JS4 noted that the law on civil society organizations had still not been adopted and that that situation opened the door to violations of the right to assembly, freedom of association, freedom of opinion and the right to hold demonstrations. [37]

28. The Association mauritanienne pour la promotion du droit (Mauritanian Association for the Promotion of the Rule of Law) (AMAPROD) recommended that Mauritania should adopt the bill on asylum that was currently being prepared. [38]

29. AMAPROD recommended that Mauritania should adopt the decrees and implementing orders of the 2006 regulation on the protection of the rights of persons with disabilities. [39]

3. Institutional and human rights infrastructure and policy measures

30. Noting that despite its "A" status, the National Human Rights Commission was quicker to defend the positions held by the Government than it was to urge it to respect human rights, [40] JS2 recommended that Mauritania should amend the Commission's statutory mandate in order to allow it to assist persons in custody and those under examination from the moment of their arrest, and to exercise its independence in relation to the executive branch. [41]

31. Alkarama recommended that Mauritania bring the NHRI into conformity with the Paris Principles. [42]

32. Explaining that the effectiveness of the Office of the Ombudsman was diminished because victims could not refer matters to it and it lacked human and financial resources, JS2 recommended that Mauritania should reform the Office and provide it with additional resources. [43]

33. Noting that the roadmap to eradicate slavery contained 29 recommendations, notably that the 2007 law against slavery should be amended to include different forms of slavery, [44] AI recommended that Mauritania continue to implement the national programme to eradicate the legacy of slavery; expand public awareness campaigns against all forms of slavery [45] and abolish the caste system. [46]

34. JS4 noted that the road map to eradicate slavery did not include specific measures for the protection of victims, did not allow third parties to have standing before the courts [47] and continued to place the burden of proof on victims. [48]

35. JS4 recommended that Mauritania should provide the necessary means for implementing the road map; [49] provide human rights organizations with the material and legal means to have legal standing in cases of slavery that came to light; [50] and incorporate training on trafficking in persons in the regular training programmes for the police. [51]

36. Noting that the Tadamon Agency had undertaken a few activities but that their implementation was dependent on political ties,[52] OMADHD recommended that Mauritania should classify, in order of priority, those places where the Agency could intervene, and thus not leave this entirely to the discretion of mayors and other local authorities.[53]

37. JS2 recommended adopting legislation to prohibit child labour and to establish a compensation mechanism.[54]

38. JS4 noted that no evaluation had been carried out of the implementation of the action plan of the National Agency to Assist and Integrate Refugees and that repatriated persons regularly held demonstrations to protest their vulnerable situation.[55]

39. JS2 recommended that Mauritania should adopt without delay a national strategy to combat trafficking in persons, allow NGOs to conduct inquiries into human trafficking and impose penalties for crimes of trafficking in persons.[56]

B. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

40. AI reported that the Government had submitted overdue reports to the Committee on the Elimination of Discrimination against Women (CEDAW), Human Rights Committee (HR Committee), Committee against Torture (CAT), and Committee on Economic, Social and Cultural Rights (CESCR).[57]

41. AI recommended that Mauritania submit all overdue reports to treaty bodies[58] and fully and effectively implement the recommendations of the HRC, CEDAW, CAT, CESCR and the Special Rapporteur on contemporary forms of slavery.[59]

42. JS4 noted that Mauritania had in January 2015 set up a permanent, inter-agency technical committee to draft reports and follow up recommendations.[60]

2. Cooperation with special procedures

43. CIVICUS recommended that Mauritania extend a standing invitation to the Special Procedures,[61] particularly to the Special Rapporteurs[62] on Human Rights Defenders,[63] on Freedom of Expression, and on Freedom of Peaceful Assembly and Association.[64]

44. JS4 recommended that Mauritania extend an invitation to the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.[65]

3. Cooperation with the Office of the United Nations High Commissioner for Human Rights

45. JS4 noted that following the visit in September 2013 of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, an action plan on that subject had been drawn up in cooperation with OHCHR, but that the development of the plan had remained at the stage of consultations.[66]

C. Implementation of international human rights obligations

1. Equality and non-discrimination

46. The Mauritanian Association for Human Rights (AMDH) stated that racial discrimination was rampant in Mauritania and that no definition of discrimination or penalty for it was prescribed in the Constitution or national legislation.[67]

47. AMDH noted that Mauritania had created a situation of de facto discrimination when it had made Arabic the sole official language, thereby precluding any promotion of Mauritanians who pursued their studies in French.[68]

48. AMDH recommended that Mauritania should enact an anti-discrimination law,[69] and AMAPROD recommended that racial discrimination should be criminalized and punished.[70]

49. JS1 stated that notwithstanding recommendations during Mauritania's previous UPR to eradicate all forms of discrimination,[71] no case of racial discrimination had ever been referred to national courts.[72]

50. JS1 noted that people in slavery or of slave descent had never been formally registered by the Government.[73]

51. According to AMDH, the census that had been under way since 2011 had had the effect of stripping many Mauritanians of their nationality.[74]

52. JS3 underscored the disparities that existed between men and women with regard to the transmission of nationality to their spouses and children[75] and with regard to access to rights.[76]

53. IHEU noted that non-Muslims were restricted from citizenship status and that Muslims who converted from Islam lost their citizenship and property rights.[77]

54. AMDH stated that, of all the persons who had returned to Mauritania following the events of 1989, only 6,000 had received their identity documents.[78]

2. Right to life, liberty and security of the person

55. AMDH noted that capital punishment still existed in Mauritania but that a moratorium had been in effect since 1987.[79] It added that death sentences were still being pronounced by the courts,[80] the most recent case being that of Mr. Mkhaitir, accused of apostasy.[81] MFWA explained that Mr. Mkhaitir had been sentenced to death in December 2014, for his article criticizing Mauritania's caste system and the way Muslims interpreted religion.[82]

56. AI recommended that Mauritania immediately and unconditionally release Mr. Mkhaïtir.[83]

57. The Advocates for Human Rights (AHR) explained that Mauritanian law mandated the death penalty in some cases, such as aggravated murder, murder, rape, adultery, apostasy, and homosexual acts.[84]

58. AHR recommended that Mauritania replace the death penalty with a sentence that respects international human rights standards[85] and impose a *de jure* moratorium on the death penalty, with a view toward its complete abolition.[86] It also recommended reducing the number of crimes punishable by death.[87]

59. AMDH stated that the prisoners who had been issued the death penalty for terrorist activities between 2008 and 2011 had been victims of enforced

disappearances and that some who had received lengthy sentences had died in prison without any clarification of the circumstances of their death.[88]

60. AI recommended that Mauritania open inquiries into all allegations of enforced disappearances and extrajudicial executions and bring to trial those responsible for these crimes.[89] Alkarama recommended ending all incommunicado detention, placing all persons deprived of their liberty under the protection of the law, and ensuring respect for their lives and integrity.[90]

61. AI stated that despite Mauritania's acceptance of the recommendation to end torture,[91] no prisoner appeared to be safe from torture and other ill-treatment.[92] It noted that the security forces use torture and ill-treatment to extract "confessions" from detainees[93] as well as for punishment in prison.[94]

62. AMDH recommended that Mauritania should disseminate information on the prohibition of torture, train government officials to apply the law[95] and lift the immunity of the police and gendarmerie in cases involving allegations of torture.[96] Alkarama recommended that Mauritania take concrete measures to investigate cases of torture, ensure that perpetrators are prosecuted[97] and strengthen complaint and compensation mechanisms for victims.[98]

63. Recalling that during its first review, Mauritania had accepted a recommendation on the creation of an independent mechanism for the monitoring of detention facilities,[99] Alkarama recommended that Mauritania establish an independent national preventive mechanism[100] and AI recommended that this latter fully comply with international standards.[101]

64. Noting that arbitrary detention remained standard practice[102] and that some persons acquitted by judicial proceedings or having served their prison sentence were kept in detention,[103] Alkarama recommended that Mauritania ensure that deprivations of liberty respect the guarantees offered by international law.[104]

65. Stating that no Mauritanian prison was in compliance with international standards, JS4 drew attention to severe overcrowding,[105] poor hygiene, inadequate diet[106] and prison guard violence.[107]

66. JS4 recommended that Mauritania should establish a fund for the purpose of bringing prisons into line with international standards[108] and that AMDH should allow civil society organizations completely unrestricted access to prisons.[109] AMAPROD recommended abolishing the practice of placing prisoners, especially Salafists,[110] in solitary confinement.

67. JS1 stated that despite several recommendations made during Mauritania's previous UPR to combat gender-based violence,[111] domestic violence and sexual aggression continued.[112] It added that Haratin women were at greater risk of violence both in the public and private spheres.[113] According to JS1, while the Government committed to criminalising violence against women in 2012, this is yet to come to fruition.[114]

68. JS2 stated that, since 2007, very few women rape victims had been recognized as such, and convictions of perpetrators were rare. JS2 added that the majority of judges placed acts of sexual aggression in the category of voluntary extramarital sexual relations, or *zina*, condemned by Sharia law.[115]

69. JS1 recommended that Mauritania ensure that female victims of slavery who have been raped are not deterred from pursuing cases against slave-owners based on fear of being charged with *zina*[116] and take measures to implement laws against FGM.[117]

70. JS1 noted that the adoption of a national strategy to promote the abandonment of FGM was positive steps.[118] However, according to IHEU, FGM/C continued to be a widely practiced phenomenon by all ethnic groups.[119]

71. Pointing out that FGM, early or forced marriage, polygamy, repudiation and force-feeding remained clandestine practices, OMADHD noted that it was important, in partnership with civil society, to carry out awareness-raising campaigns about the danger of such practices.[120]

72. JS1 stated that despite the prohibition of forced marriage and the fact that the age of marriage was set at 18 years old under the Personal Status Code, early marriage was still widely practised.[121]

73. JS3 recommended that Mauritania should enforce the provisions of the Personal Status Code[122] and respect the legal age of marriage — 18 years — for girls.[123]

74. Noting that since the first UPR, corporal punishment of children remained lawful in all settings;[124] Global Initiative to End All Corporal Punishment of Children (GIEACPC) recommended that Mauritania clearly prohibit all corporal punishment of children in all settings.[125]

75. UNPO stated that a large number of children were enslaved, often from birth and were expected to work more than 14 hours a day, in domestic servitude, begging, herding and manual labour.[126]

76. JS3 recommended that Mauritania should remedy the fact that there was no national strategy to provide for children at risk, including Talibé children, whose working and living conditions could be equated with slavery-like practices.[127]

77. According to the Global Slavery Index, Mauritania has the highest prevalence of slavery in the world.[128] UNPO explained that slaves were not trafficked and were rarely bought or sold, but most of them inherited their status through their mothers and thus worked for the same families for generations.[129]

78. UNPO recommended that Mauritania allow an independent mission to collect detailed data on the nature and incidence of slavery to monitor efforts to eradicate slavery.[130]

79. IHEU recommended that Mauritania work with the international community and civil society in order to mainstream anti-slavery initiatives, and provide funding and technical expertise to help combat slavery and its "vestiges" as well as ensure the renewal of awareness-raising campaigns, involving religious leaders.[131]

3. Administration of justice, including impunity, and the rule of law

80. Recalling that during its previous UPR, numerous recommendations were made to Mauritania to ensure the comprehensive eradication of slavery,[132] JS1 stated that the police and the courts had hardly used the anti-slavery law.[133] It noted that in addition to the lack of judicial or political will to enforce the Act,[134] there were fundamental flaws in the law itself, such as the fact that it did not allow human rights organisations to bring complaints on behalf of victims of slavery.[135]

81. Society for Threatened People (STP) noted that it was common for the Prosecutor to file a claim for slavery under other less serious charges or to propose an informal settlement and that claims were left pending for months or years without explanation.[136] STP stated that the authorities had not only failed to enforce the Slavery Act, but there were often active attempts to prevent slavery cases from being reported.[137]

82. Noting that in 2014, 15 cases of alleged slavery had been brought before the courts, but were still under investigation;[138] AI recommended that Mauritania implement the 2007 anti-slavery law.[139]

83. AMAPROD recommended that Mauritania should review the law criminalizing slavery, in particular to allow civil society organizations to sue for damages in criminal cases involving slavery-like practices,[140] to strengthen the penalties for persons found guilty of slavery-like practices[141] and to increase the amounts awarded to victims as compensation.[142]

84. UNPO recommended carrying out training of the police, administrative and judicial authorities to ensure that they pursue cases of slavery efficiently.[143]

85. Noting that the right to a fair trial was practically non-existent,[144] AMDH recommended that the political authorities should respect the independence of the judiciary.[145]

86. AMAPROD recommended that Mauritania should provide judges, judicial personnel, directors of remand prisons, gendarmes and police officers with regular training in human rights.[146]

87. JS4 stated that victims and human rights organizations had in 1991 begun attempts to bring judicial proceedings against military defendants identified as perpetrators of crimes committed during the events of 1986-1992 but said that the courts had declined jurisdiction owing to the self-amnesty law of 1993.[147]

88. Pointing out that the attempt to resolve such pending humanitarian issues had not been consensual and that its legal framework had remained secret,[148] JS4 recommended that Mauritania should settle those issues by means of transitional justice mechanisms and should revoke the amnesty law of 1993, restore victims' rights and establish an independent commission of inquiry to shed light on the events.[149]

89. JS1 stated that no prosecutions had ever been initiated against the perpetrators of killings, plundering, deportations and torture committed against the black Mauritanian populations between 1989 and 1991.[150]

90. JS4 noted that the compensation paid to former officials and agents of the State who had been victims of the events of 1989 were inadequate and that many victims in other sectors of activity had received no compensation of any kind.[151]

91. AMAPROD recommended that Mauritania should accelerate the process for resolving the pending humanitarian issues by paying compensation to and legalizing the status of the civil servants and other public servants who had been victims of the events of 1989 and whose names had been officially recorded;[152] by settling disputes — especially those related to land rights — in an equitable fashion;[153] and by ensuring effective and available remedies for survivors of the military purges.[154]

92. Noting that corruption hindered economic development, exacerbated political instability and was a major obstacle to ensuring that disadvantaged segments of the population could exercise their rights, JS2 recommended that Mauritania should adopt bills criminalizing corruption.[155]

4. Right to privacy, marriage and family life

93. AMAPROD recommended that Mauritania should strengthen laws and regulations on the respect for privacy.[156]

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

94. ODI stated that the Government limited freedom of religion by prohibiting the distribution of non-Islamic religious materials;[157] that apostasy was legally punishable by death[158] and that Muslims who converted to Christianity faced high social pressure and ostracism.[159]

95. ODI recommended that Mauritania end the practice of detaining, accusing and sentencing prisoners of conscience, including those held for alleged apostasy;[160] allow greater freedom of thought[161] and full freedom of religion or belief.[162]

96. Noting that there were currently eight prisoners of conscience in Mauritania;[163] AI recommended that Mauritania immediately and unconditionally release all of them.[164]

97. STP mentioned that in November 2014, Biram Dah Abeid, UN Human Rights Prize Laureate and presidential election runner, Brahim Ramdhane, Djiby Sow and seven other Human Rights Defenders (HRDs) had been arrested. Mr Abeid and Mr Ramdhane belong to the anti-slavery NGO Initiative for the Resurgence of the Abolitionist Movement (IRA).[165] UNPO explained that at the time of their arrest, the three HRD had been undertaking peaceful protests and awareness-raising activities.[166] CIVICUS mentioned that in 2015, Abeid, Ramdhane and Sow had been sentenced to two years of imprisonment[167] and AI recommended that Mauritania release them.[168]

98. Noting that there were reports that some of the imprisoned IRA members suffered acts of torture,[169] FLD recommended that Mauritania investigate these allegations and take urgent measures to prevent torture.[170] AI stated that HRDs and other activists faced harassment and intimidation including death threats and that police and judicial authorities had failed to bring the perpetrators of such acts to justice.[171]

99. STP recommended that Mauritania uphold international law as it relates to the rights of HRDs and to combatting slavery.[172] JS1 recommended adhering to commitments to support civil society action against slavery made under the roadmap to end slavery.[173]

100. CIVICUS stated that while the state and security forces were the main perpetrators of violations of the rights of HRDs, religious leaders also threatened them and had on occasion; called on communities to attack and harm them.[174]

101. MFWA stated that police and security forces had brutally silenced anti-slavery activists by violently dispersing demonstrations; arresting and detaining protesters and also attacking and arresting journalists covering issues on slavery.[175]

102. AI recommended that Mauritania ensure that journalists, HRDs and other civil society activists are able to carry out their legitimate activities without intimidation, hindrance, harassment or pressure.[176] CIVICUS recommended that Mauritania release all civil society activists currently in prison; investigate all threats to HRDs and ensure that perpetrators are brought to justice; and condemn calls by religious leaders to harm human rights defenders.[177] FLD recommended starting a dialogue with religious leaders with a view to ensure that fatwas issued against HRDs are withdrawn.[178] MFWA recommended that Mauritania develop and implement national guidelines for police and security forces prohibiting violence against those exercising the right to freedom of expression.[179]

103. MFWA noted that while plurality of views among media outlets existed,[180] and that the Press Freedom Law had been amended, decriminalising slander and defamation,[181] journalists had practiced self-censorship in covering controversial or

sensitive issues, particularly those concerning the Government, military, slavery, and Sharia law.[182]

104. CIVICUS recommended that Mauritania investigate threats to journalists and representatives of the media and condemn attacks on and threats to journalists.[183]

105. FLD noted that the exercise of the rights of assembly and association had been limited in practice.[184] It explained that registration was required by law, but there had been reports of registration being denied and in some cases,[185] applicant organisations had not obtained registration after five years, such as IRA.[186]

106. AMAPROD recommended that Mauritania should amend the law on associations so as to waive the requirement to obtain prior governmental authorization for the establishment of associations.[187]

107. MFWA reported that the National Assembly had adopted a new media bill, liberalising the airwaves and insulating state-owned media from governmental control.[188]

108. Welcoming the establishment of quotas of 20 percent for women in decision-making positions in public administration,[189] JS1 stated that the quota system had done nothing to address the particular discrimination faced by Haratin women.[190]

109. JS3 recommended that Mauritania should generally apply the quota for women in elected positions, raise the quota and develop springboards for their access to other decision-making positions.[191]

6. Right to work and to just and favourable conditions of work

110. UNPO explained that slaves performed household chores and work in subsistence agriculture or herding. It noted that their masters kept them untrained in specific skills or tasks, and uneducated, so that they would have no possibilities to survive if freed.[192]

111. JS4 noted that there was serious indirect discrimination against women in employment and in high-level administrative posts.[193]

7. Right to social security and to an adequate standard of living

112. OMADHD remarked that the Government had intensified programmes designed to eliminate poverty so as to achieve the Millennium Development Goals, including specifically support for women's cooperatives, Emel boutiques, the Tadamon Agency and the free distribution of staple foods.[194]

113. JS3 recommended improving women's access to credit and providing them with an adequate social protection scheme.[195]

114. JS4 recommended that Mauritania should open education and learning centres for at-risk children and set up a solidarity fund and food bank for children with disabilities and child victims of sexual abuse.[196]

8. Right to education

115. JS4 pointed out that there was little public awareness of the law on compulsory schooling.[197] According to official figures, the gross primary school enrolment rate was 96 per cent in 2011 and included a higher number of girls,[198] but female students were clearly in the minority in higher education.[199]

116. JS4 stated that there was one kind of school for the rich and another kind for the poor, and that the education received depended on the community: Arabs were taught in Arabic and black Mauritanians were taught in French.[200]

117. JS4 recommended that Mauritania should declare all national languages as official and promote them as languages of instruction and employment.[201]

118. OMADHD explained that education remained an ongoing challenge, namely because of economic, safety-related and geographic reasons and issues related to the quality of teachers.[202]

119. OMADHD recommended that Mauritania should continue efforts to ensure access to preschool education throughout the country,[203] to build large schools in each commune, to make the schools safer and to train teachers.[204] JS3 recommended that human rights education should be promoted in schools.[205]

120. JS1 recommended that Mauritania adopt policies to facilitate equal access to education and employment opportunities for those of slave-descent.[206]

9. Minorities and indigenous peoples

121. UNPO noted that the Haratins constituted the largest ethnic component in Mauritania,[207] but remained the most economically and politically marginalized group.[208]

122. UNPO stated that the Haratin were subject to economic dependency toward their masters, making their emancipation more difficult. They face discrimination[209] in education,[210] employment, bank loans, healthcare and land attribution.[211] Furthermore, they lacked proper representation in decision-making bodies and were absent from the media. UNPO added that even when slaves were formally "set free"; they often did not have the skills or knowledge necessary to find a job.[212]

123. JS1 recommended that Mauritania promote a higher representation of minorities in the public institutions.[213]

124. UNPO noted that enslaved Haratin women were subjected to forced marriages, lacked control over their fertility and suffered from sexual abuse, rape and sexual exploitation.[214]

125. According to UNPO, as the Haratins are not recognized as a minority group, they cannot enjoy the rights to which minorities are entitled, such as the rights to their own culture, religion and language.[215]

10. Migrants, refugees and asylum seekers

126. JS4 noted that the authorities had expressed satisfaction with their success in repatriating 24,536 persons to Mauritania between 2008 and 2012 but added that there were still some 26,000 refugees in neighbouring countries.[216]

11. Human rights and counter-terrorism

127. Alkarama noted that in 2010, the Parliament had adopted a new anti-terrorism law that contradicted the Constitution. It stated that article 3 was imprecise, defining acts of terrorism that could include facts or offences unrelated to terrorism and criminalise legitimate activities of political opponents and HRD.[217]

128. Alkarama noted that charges of terrorism often lead to violations of human rights, creating a framework for arbitrary arrests, incommunicado detentions or torture. As such, 14 persons convicted of acts of terrorism on the basis of the 2010 law, were forcibly disappeared in May 2011.[218]

129. Alkarama recommended that Mauritania amend the 2010 anti-terrorism law and bring it in conformity with the principles and guarantees of international law.[219]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. One asterisk denotes a national human rights institutions with "A" status.

Civil society

Individual submissions:

AI	Amnesty International, London, United Kingdom;
AHR	Advocates for Human Rights, Minneapolis, United States;
ALKARAMA	Alkarama, Geneva, Switzerland;
AMAPROD	Association mauritanienne pour la Promotion du Droit, Nouakchott, Mauritania;
AMDH	Association mauritanienne des Droits de l'Homme, Nouakchott, Mauritania;
APDHM	Action pour la Protection des Droits de l'Homme en Mauritanie, Nouakchott, Mauritania;
CIVICUS	World Alliance for Citizen Participation;
FLD	Front Line Defenders, The International Foundation for the Protection of Human Rights Defenders, Dublin, Ireland;
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, United Kingdom;
IHEU	International Humanist and Ethical Union, London, United Kingdom;
MFWA	Media Foundation for West Africa, Accra, Ghana;
ODI	Open Doors, Ermelo, Netherlands;
OMADHD	Observatoire mauritanien des Droits de l'Homme et de la Démocratie, Nouakchott, Mauritania;
STP	Society for Threatened Peoples, Göttingen, Germany;
UNPO	Unrepresented Nations and Peoples Organisation (UNPO), Brussels, Belgium.

Joint submissions:

JS1	Joint submission 1 submitted by: Anti-Slavery International, Minority Rights Group International (MRG), SOS-Esclaves and L'Initiative pour la Résurgence du Mouvement Abolitionniste (IRA), London, United Kingdom.
JS2	Joint submission 2 submitted by: Association Transparence et Développement (ATED), Agir pour le Bien-être des Enfants, Personnes âgées et déficientes (ABEPAD), Réseau Unité pour le Développement et l'Appui des Jeunes en matière des Droits de l'Homme, Association de Lutte contre la Dépendance (ALCD), Nouakchott, Mauritania;
JS3	Joint submission 3 submitted by: Collectif pour la Défense des Droits de la Femme en Mauritanie (CDDFM), Nouakchott;
JS4	Joint submission 4 submitted by: Association pour la Défense des Enfants en déperdition (ADE), Association mauritanienne d'Aide aux Nécessiteux (AMANE), Association mauritanienne pour la Santé de la Mère et de l'Enfant (AMSME), Action pour la Protection des Droits de l'Homme en Mauritanie (APDHM), Coordination des Organisations des Victimes de la Répression (COVIRE), Forum des Organisation nationales des Droits de l'Homme (FONADH), Institut Mariem Diallo pour l'Enfance difficile en Mauritanie (IMD), Réseau Ensemble contre la Torture en Mauritanie (RECT-MR), Groupe des Organisations de Concertation et de Lutte pour les Droits de Femmes en Mauritanie (GCDF), Nouakchott, Mauritania.

National human rights institution(s):

NHRC	Commission nationale des Droits de l'Homme de Mauritanie*, Nouakchott, Mauritania.

[2] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 27.
[3] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 6.
[4] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 7.
[5] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 25.
[6] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 33.
[7] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 37.
[8] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 10.
[9] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 4.
[10] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 15.
[11] See A/HRC/16/17, recommandation 92.16, Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 8.
[12] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 28.
[13] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 24.
[14] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 27.
[15] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 14.
[16] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 18.

[17] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 29.
[18] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 35.
[19] Rapport parallèle de la Commission Nationale des droits de l'Homme de Mauritanie, para. 13.
[20] The following abbreviations have been used in the present document:

ICCPR	International Covenant on Civil and Political Rights
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRPD	Convention on the Rights of Persons with Disabilities
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

[21] See A/HRC/16/17, recommendations 92.1 (France), 92.2 (France), 92.3 (Spain), 92.5 (Côte d'Ivoire), 92.6 (Switzerland), 92.9 (Turkey) and 92.10 (Argentina).
[22] See also Alkarama, para. 8; JS3, para. C and JS4, paras 30 and 36.
[23] See also AI, p. 6 and JS4, para. 74.
[24] OMADHD, para. V.
[25] IHEU, para. 4.4.
[26] ODI, para. 27.
[27] Alkarama, para. 4.
[28] Alkarama, para. 5.
[29] Alkarama, para. 7.
[30] Alkarama, para. 11.
[31] Alkarama, paras. 14 (a) and 29. See also AMAPROD, paras 4.3, 8 and 4.3, 10 and AI, p. 2.
[32] Alkarama, para. 32 (a). See also AI, p. 5, JS4, para. 12 and AMAPROD, para. 4.3, 1.
[33] JS1, para. xii.
[34] UNPO, p. 7.
[35] JS2, para. IV.
[36] JS3, p. 3.
[37] JS4, para. 20.
[38] AMAPROD, para. 5, p. 3.
[39] AMAPROD, para. 1, p. 9.
[40] JS2, para. I. See also JS4, para. XII.
[41] JS2, para. XII. See also Alkarama, paras. 17 and 18.
[42] Alkarama, para. 19.
[43] JS2, para. I.
[44] AI, p. 2.
[45] See also UNPO, para. III.3 and JS1, para. x.
[46] AI, p. 5.
[47] See also JS1, paras. 35-36.
[48] JS4, para. 26. See also JS1, para. vi.
[49] See also UNPO, para. III.1 and JS1, para. xviii.
[50] See also UNPO, para. III, 4.
[51] JS4, para. 54.
[52] OMADHD, p. 3. See also JS4, para. 28.
[53] OMADHD, para. IX.
[54] JS2, para. III.
[55] JS4, para. 33.
[56] JS2, para. VIII.
[57] See A/HRC/16/17, recommendation 90.15, Alkarama, para. 20. See also AMAPROD, para. 4.3, 7.
[58] See also Alkarama, para. 23 (a).
[59] AI, p. 5. See also Alkarama, paras. 9 (a) and (b).
[60] JS4, para. 17.
[61] See also AI, p. 5.
[62] See also ODI, para. 31.
[63] See also STP, para. 9.
[64] CIVICUS, para. 5.4. See also AI, p. 5.
[65] JS4, para. 71.
[66] JS4, para. 35.
[67] AMDH, para. VII.
[68] AMDH, para. VII.
[69] AMDH, para. VII. See also IHEU, para. 4.4.
[70] AMAPROD, para. 4.3, 6.
[71] See A/HRC/16/17, recommendations 92.21 (Brazil), 92.22 (Israel), 92.35 (Israel) and 92.38.

(Ecuador).
[72] JS1, para. 14.
[73] JS1, para.17.
[74] AMDH, para. VI.
[75] JS3, p. 2.
[76] JS3, p. 3. See also IHEU, para. 4.1 and JS2, para. III.
[77] IHEU, para. 3.2.
[78] AMDH, para. VI.
[79] See A/HRC/16/17, recommendation 93.30, AI, p. 4.
[80] See also JS4, para. 72.
[81] AMDH, p. 1. See also AI, p. 3, AHR, para. 4, Alkarama, para. 24, IHEU, para. 3.2, ODI, para. 8, JS1, para. 42 and JS4, para. 73.
[82] MFWA, para. 26. See also AI, p. 3, AMDH, para. IV.4, ODI, para. 8, UNPO, pp. 8-9 and JS1, para. 42.
[83] AI, p. 6. See also MFWA, p. 9 and IHEU, para. 3.2.
[84] AHR, para. 3. See also AHR, para. 8.
[85] AHR, para. 13. See also AI, p. 6 and JS2, para. X.
[86] AHR, para. 14. See also OMADH, p. 9 , AI, p. 6 and JS2, para. X.
[87] AHR, para. 15.
[88] AMDH, p. 1. AI, p. 4. See also Alkarama, para. 25.
[89] AI, p. 6.
[90] Alkarama, para. 26 (a).
[91] See A/HRC/16/17, recommendation 90.33.
[92] AI, p. 2. See also AI, p. 3, AMDH, para. II and IHEU, p. 2.
[93] See also AMDH, para. II and JS3, para. C.
[94] AI, p. 2.
[95] See A/HRC/16/17, recommendation 91.13, MFWA, para. 30.
[96] AMDH, p. 2.
[97] See A/HRC/16/17, recommendations 90.33 and 90.35, MFWA, para. 33. See also AI, p. 5 and AMAPROD, para. 11.
[98] Alkarama, para. 32 (b). See also AI, p. 5 and JS4, para. 60.
[99] See A/HRC/16/17, recommendation 92.1, Alkarama, para. 15.
[100] Alkarama, para. 19. See also AMAPROD, para. 4.3, 25 and JS4, paras 14 and 60.
[101] AI, p. 5.
[102] Alkarama, pars. 33. See also JS3, para. C and JS4, para. 55 (iv).
[103] Alkarama, para. 34. See also JS2, para. IX.
[104] Alkarama, para. 36 (a).
[105] JS4, para. 57. See also APDHM, para. B , Alkarama, para. 31 , JS2, para IX and JS3, para. C.
[106] See also Alkarama, para. 31 and JS2, para. IX.
[107] JS4, para. 59.
[108] JS4, para. 60. See also AI, p. 6, AHR, para. 16, Alkarama, para. 32 c), AMAPROD, para. 23, p. 6 and paras. 4-12, pp. 6-7, JS2, para. IX and JS3, para. C.
[109] AMDH, para. I. See also Alkarama, para. 31, AMAPROD, para. 4.3, 14-20 , APDHM, paras 2-4 and JS3, para. C.
[110] AMAPROD, para. 7, p. 7.
[111] See A/HRC/16/17, recommendations 90.9 (Spain), 90.11 (Malaysia), 90.25 (Senegal), 90.26 (Argentina), 90.27 (Argentina), 90.28 (Mexico), 90.29 (Poland), 90.30 (United Kingdom), 90.31 (Norway) and 90.32 (Azerbaijan).
[112] See also JS4, paras. 39-42.
[113] JS1, para. 24. UNPO, p. 6.
[114] JS1, para. 25.
[115] JS2, p. 3. See also AI, p. 4.
[116] JS1, para. iv.
[117] JS1, para. xvi. See also IHEU, para. 4.4, JS2, para. III, JS4, para. 24 and UNPO, p. 11.
[118] JS1, para. 28.
[119] IHEU, para. 4.4.
[120] OMADHD, p. 3.
[121] JS1, para.26. See also IHEU, para. 4.2.
[122] JS3, p. 3. See also JS2, para. III.
[123] JS3, p. 4. See also UNPO, para. 11, IHEU, para. 4.4 and JS3, para. D.
[124] GIEACPC, para. 1.2. See also JS2, para. V and JS4, para. 46.
[125] GIEACPC, Introduction. See also JS2, para V.

[126] UNPO, p. 7. See also JS1, paras 29-31.
[127] JS3, p. 4.
[128] IHEU, para. 1. See also UNPO, pp. 4-5.
[129] UNPO, p. 5.
[130] UNPO, par. III.3. See also JS1, para. 34.
[131] IHEU, para. 1.
[132] See A/HRC/16/17, recommendations 90.10 (Ghana), 90.14 (United States), 90.36 (Spain), 90.37 (Nigeria), 90.38 (Pakistan), 90.39 (United States), 90.40 (Germany), 90.41 (Syrian Arab Republic), 90.42 (Slovakia), 90.43 (Norway), 90.44 (Holy See), 90.45 (Switzerland), 90.48 (Burkina Faso), 92.35 (Israel) and 92.38 (Ecuador).
[133] See also STP, para. 3 and UNPO, p. 5.
[134] See also AMDH, para. III, JS1, paras. 5-6 and JS4, paras 52-53.
[135] JS1, para. 13. See also JS1, para. 4, AMDH, para. III ; STP, para. 1 and UNPO, p. 5.
[136] STP, para. 2. See also AI, p. 1 and JS1, paras. 8-13.
[137] STP, para. 4. See also Alkarama, p. 48, AMDH, para. III, JS4, para. 10; AI, p. 2 and JS1, paras. 7 and 11.
[138] AI, p. 1.
[139] AI, p. 5. See also STP, para. 9 and FLD, para. 22.c.
[140] AMAPROD, para. 4.3.2. See also UNPO, p. 11 and JS1, para. v.
[141] AMAPROD, para. 4.3, 3. See also Js1, para. ii, vii and viii and UNPO, para. III, 6.
[142] AMAPROD, para. 4.3, 4. See also AMDH, para. III and AI, p. 5.
[143] UNPO, para. III, 3. See also JS2, para. VII.
[144] See also AMDH, para. I.
[145] AMDH, para. IV. See also CIVICUS, para. 5.1.
[146] AMAPROD, para. p. 6. See also AMAPROD, para. 22, p. 6.
[147] JS4, para. 65. See also JS4, para. 70.
[148] JS4, para. 66.
[149] JS4, para. 71.
[150] JS1, para. 18.
[151] JS4, para. 62.
[152] AMAPROD, para. 2, p. 2.
[153] AMAPROD, para. 3, pp. 2-3.
[154] AMAPROD, para. 4, p. 3.
[155] JS2, para. XII.
[156] AMAPROD, para 10, p. 9.
[157] ODI, para. 14. See also IHEU, para. 3.2.
[158] ODI, para. 8. See also IHEU, para. 3.1.
[159] ODI, para. 17.
[160] ODI, para. 24.
[161] ODI, para. 25.
[162] ODI, para. 28. See also ODI, paras. 29-30; AI, p. 6, IHEU, para. 3.2 and JS1, para. xi.
[163] AI, p. 3.
[164] AI, p. 6.
[165] STP, para. 6. See also, AI, p. 3, Alkarama, para. 40, FDL, para. 9, MFWA, para. 52, UNPO, pp. 4 and 8 and JS1, para. 40.
[166] UNPO, p. 4.
[167] CIVICUS, para. 3.2. See also AI, p. 3, AMDH, para. IV.4, FDL, para. 10, MFWA, para. 53; STP, paras 7-8, UNPO, p. 9, JS1, para. 41 and JS4, para. 51.
[168] AI, p. 6.
[169] FDL, para. 11. See also AMDH, para. II.
[170] FDL, para. 22 (h).
[171] AI, p. 4. See also, FDL, para. 6.
[172] STP, para. 9. See also IHEU, para. 2.
[173] JS1, para. xi.
[174] CIVICUS, para. 2.1. See also CIVICUS, para. 2.2, IHEU, para. 3.2 and FLD, paras. 14-17.
[175] MFWA, para. 47. See also MFWA, paras. 16-25, 32, 34-44, 51, CIVICUS, paras. 1.3, 3.1, 3.2 and 3.4, FLD, paras. 1, 12, 13 and 18, Alkarama, para. 38 and UNPO, p. 10.
[176] AI, p. 6. See also CIVICUS, para. 5.2, Alkarama, paras 42a) and 42c) and FDL, para. 22fa.
[177] CIVICUS, para. 5.1. See also FLD, para. 22 (b).
[178] FLD, para. 22 (f).
[179] MFWA, p. 9. See also CIVICUS, para. 5.2 and FLD, para. 22 (b).
[180] See also AMAPROD, paras 4.5, 4 and 5.

[181] MFWA, para. 5.
[182] MFWA, para. 11. See also CIVICUS, para. 1.5 and FLD, para. 1.
[183] CIVICUS, para. 5.3.
[184] FLD, para. 3. See also JS2, para. 1.
[185] See also MFWA, para. 45.
[186] FLD, para. 4. See also AMDH, para. V, CIVICUS, para. 1.6, IHEU, para. 2 and STP, para. 8.
[187] AMAPROD, para. 4.5, 2.
[188] MFWA, para. 8. See also MFWA, para. 9.
[189] See also JS4, para. 49.
[190] JS1, para. 23.
[191] JS3, p.3. See also AMAPROD, para. 1, p. 9.
[192] UNPO, p. 6. See also JS1, para. 22.
[193] JS4, para. 47.
[194] OMADHD, p. 4.
[195] JS3, p. 3.
[196] JS4, para. 50.
[197] JS4, para. 43.
[198] JS4, para. 44.
[199] JS4, para. 45.
[200] JS4, para. 69.
[201] JS4, para. 71.
[202] OMADHD, p. 2. See also JS2, para. XI and JS3, para. D.
[203] See also JS3, para. D.
[204] OMADHD, para. II. See also JS2, para. X and JS3, para. D.
[205] JS3, para. D.
[206] JS1, para. viii.
[207] UNPO, p. 3.
[208] UNPO, p. 3.
[209] See also JS1, paras 2, 3 and 20.
[210] See also JS1, para. 16.
[211] See also JS1, para. 15.
[212] UNPO, p.4. See also UNPO, pp. 7 and 8 and JS1, paras 16 and 32.
[213] JS1, para. xiv. See also UNPO, para. III, 7.
[214] UNPO, p. 6. See also JS1, para. 27.
[215] UNPO, p. 8.
[216] JS4, para. 61.
[217] Alkarama, para. 43.
[218] Alkarama, para. 44. See also AI, p. 4 and JS4, para. 55.
[219] Alkarama, para. 45 (a).